



Journal of the House

State of Indiana

115th General Assembly

First Regular Session

Third Meeting Day

Tuesday Afternoon

January 9, 2007

The House convened at 1:00 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker stated, "Having conferred with the Attorney General and no objection raised, the temporary House policy while the prayer lawsuit is pending in the courts will be a scripted prayer."

The Speaker read a prayer for wisdom and service: "Almighty God, we come before you today humbled by the magnitude of the responsibilities of this office.

Grant us the spirit of wisdom, charity, and justice so that with steadfast purpose we may faithfully serve in our offices to promote the well-being of all people.

And may you lead us to become better members of our community, loving our neighbors as ourselves, so that all of us may more closely come to fulfill the promise of liberty, justice, and equal opportunity for all.

Amen."

The Pledge of Allegiance to the Flag was led by Representative Terri Jo Austin.

The Speaker ordered the roll of the House to be called:

Austin	Elrod
Avery	Espich
Bardon	Foley
Battles	Friend
Behning	Frizzell
Bell	Fry
Bischoff	GiaQuinta
Borders	Goodin
Borror	Grubb
Bosma	Gutwein
C. Brown ☐	E. Harris
T. Brown	T. Harris
Buck	Herrell
Buell	Hinkle
Burton	Hoy
Candelaria Reardon ☐	Kersey
Cheatham	Klinker
Cheney	Knollman
Cherry	Koch
Cochran	Kuzman
Crawford ☐	L. Lawson
Crooks	Lehe
Crouch	Leonard
Davis	Lutz
Day	Mays ☐
Dembowski	McClain
Denbo ☐	Micon
Dermody	Moses
Dickinson ☐	Murphy
Dobis	Neese
Dodge	Niezgodski
Duncan	Noe
Dvorak	Orentlicher
Eberhart	Oxley

Pelath
Pflum
Pierce
Pond
Porter ☐
Reske
Richardson
Ripley
Robertson
Ruppel
Saunders
M. Smith
V. Smith ☐
Soliday
Stemler
Stevenson

Stilwell
Stutzman
Summers ☐
Thomas
Thompson
Tincher
Torr
Turner
Tyler
Ulmer
VanHaaften
Walorski
Welch
Whetstone
Wolkins
Mr. Speaker

Roll Call 3: 91 present; 9 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 11, 2007 at 1:00 p.m.

DAY

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 2 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 2

The Speaker handed down Senate Concurrent Resolution 2, sponsored by Representatives Cheatham and Goodin:

A CONCURRENT RESOLUTION urging the Indiana department of transportation to name the new bridge over Big Graham Creek (near the intersection of State Road 3 and State Road 250) in honor of Trooper George Forster.

Whereas, While on routine patrol near Paris Crossing in Jennings County on May 17, 1941, Trooper George Forster's patrol car was struck by a truck towing a horse trailer;

Whereas, Trooper Forster was killed in the accident;

Whereas, Trooper Forster's death was the first traffic related fatality to occur involving an on-duty Indiana State Police trooper;

Whereas, Trooper Forster, who was 25 years of age at the time of his death, had been appointed to the Indiana State Police on September 1, 1938, and had served as a patrolman working out of the Seymour post;

Whereas, Trooper Forster loved his job and strove to be the best state trooper he could be;

Whereas, As a member of the Indiana State Police, Trooper Forster provided the best in quality service and earned the highest respect and confidence of the citizens of Indiana;

Whereas, Trooper Forster and all the men and women of the Indiana State Police deserve special recognition; and

Whereas, Trooper Forster gave his life protecting the citizens of the state of Indiana, for which there is no greater sacrifice: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes the service of Trooper George Forster and urges the Indiana department of transportation to name the new bridge over Big Graham Creek (near the intersection of State Road 3 and State Road 250) in honor of Trooper Forster.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Karl Forster, Dorothy Behrman, Imogene Scheidt, and the commissioner of the Indiana department of transportation.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1221 — Cheney

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1226 — Grubb, Ulmer, Bischoff

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Legislative Ethics which was appointed pursuant to IC 2-2.1-3-5 considered the matters pending before it and recommends that the House of Representatives adopted the following Code of Ethics and Procedure:

I. CODE OF ETHICS

In recognition of its responsibility to the citizens of this state, and in response to IC 2-2.1-3-6, the House of Representatives adopts the following code of ethics:

Every candidate for election to the House of Representatives shall campaign and, if elected, shall serve with a personal moral commitment to dedicated public service without mental reservation.

Every candidate for election to the House of Representatives shall disclose his or her occupational, business, professional, or other financial interests as required by law.

Every member of the House of Representatives shall, to the best of his or her ability, be fully objective when considering a proposition upon which he or she must act, keeping the welfare of all of the citizens of the state in mind at all times.

No member of the House of Representatives shall sponsor or cast a vote on any legislative matter, except budget or general revenue bills, that might reasonably be expected to directly result in a substantial increase of his or her nonlegislative income. Any

member of the House of Representatives not voting for this reason shall be considered present for the purpose of determining a quorum. If a significant number of members are so affected, the House of Representatives or a committee thereof, as the case may be, may, by a vote of two-thirds of those voting, permit such members to vote.

Every member shall give freely of his or her particular expertise during a discussion or debate upon a given proposition; in doing so the member shall, insofar as it is possible, present the positions of all sides of the proposition.

Any member traveling to a legislative conference or meeting at state expense shall attend a substantial number of meetings and official functions.

No member shall host an event which seeks to raise campaign contributions for the election or reelection of any member to the General Assembly during the period beginning on organization day for the first regular session of the General Assembly and ending on the next April 29.

A member, the member's candidate committee and regular party committee organized by a legislative caucus of the House of Representatives of the General Assembly shall not, for the election or reelection of any member to the General Assembly, solicit campaign contributions, accept campaign contributions or conduct other fundraising activities during the period from the day before through the day after the day in November of each year that the General Assembly convenes.

No member shall accept honoraria during his term of office. Payment or reimbursement of expenses actually incurred shall be allowed.

II. PROCEDURE

Any member of the legislative ethics committee of the House of Representatives may receive:

- (1) a complaint from any person alleging a breach of privilege, misconduct, a violation of state law, or a violation of this code of ethics; and
- (2) a request from any member of the House of Representatives for a ruling by the legislative ethics committee.

Any complaint or request shall be reduced to writing on a form provided by the ethics committee and signed by the person making the complaint or request. The committee member receiving the complaint or request shall refer it to the chair who shall promptly call a meeting of the committee to consider the matter.

KERSEY, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1062.

MICON

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Stemler, the House adjourned at 1:15 p.m., this ninth day of January, 2007, until Thursday, January 11, 2007, at 1:00 p.m.

B. PATRICK BAUER
Speaker of the House of Representatives

CLINTON McKAY
Principal Clerk of the House of Representatives